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Item 9 of the provisional agenda for the preparatory segment*

Proposed adjustments to the Montreal Protocol on hydrochlorofluorocarbons for parties not operating under paragraph 1 of Article 5 of the Protocol

Proposed adjustment to the Montreal Protocol submitted by Australia and Canada

Note by the Secretariat

Pursuant to paragraph 9 of Article 2 of the Montreal Protocol on Substances that Deplete the Ozone Layer, the Secretariat is recirculating in annexes I and II to the present note explanatory information and a proposal submitted by Australia and Canada to adjust the Montreal Protocol, which were previously circulated in document UNEP/OzL.Pro.WG.1/40/5. The annexes are presented as received by the Secretariat, without formal editing.

* UNEP/OzL.Pro.30/1.

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Annex I

Explanatory information

The purpose of the Australian and Canadian proposal is to:

- Permit essential use exemptions of HCFCs to be considered and authorized by Parties as exist for other ozone depleting substances, and particularly to ensure that HCFCs continue to be available for laboratory and analytical uses after 2020; and
- Extend the use of the existing 0.5% servicing tail from 2020 to 2030 to service fire protection equipment installed before 2020 in addition to refrigeration and air-conditioning.

The proposal addresses concerns raised in discussions of the Meeting of Parties since 2015 about current restrictions on the use of HCFCs after 2020. We welcome discussion on the key elements of the adjustment. The proposal has two elements:

A change to paragraph 6 (Article 2F) to permit possible HCFC essential uses by Parties.

A change to paragraphs 6(a) and (b) (Article 2F) to add fire protection equipment to the equipment permitted to be serviced by HCFCs after 2020.

The proposed adjustment is consistent with the TEAP's March 2018 report which advised HCFCs could be needed to service existing fire protection equipment and that small quantities of HCFC would be needed for laboratory and analytical uses.

Brief discussion of these elements

Paragraph 6 of Article 2F

This proposal will allow consideration of HCFC-based essential uses by the Parties.

The proposed language mirrors exactly the language related for essential uses of CFCs (Article 2A, paragraph 4), halons (Article 2B, paragraph 2), other CFCs (Article 2C, paragraph 3), carbon tetrachloride (Article 2D, paragraph 2), methyl chloroform (Article 2E, paragraph 3), hydrobromofluorocarbons (Article 2G), and bromochloromethane (Article 2I).

This language would allow the Parties to consider the possibility of HCFC-based essential uses. Any decision to permit any essential uses or decisions on how to administer any essential uses would still be taken by the Parties on a case-by-case basis.

We foresee that laboratory and analytical uses for HCFCs would be required for some time to ensure the continued availability of HCFCs for atmospheric and laboratory measuring equipment and procedures. However, unless this adjustment is made, a decision to permit laboratory and analytical uses of HCFCs cannot be taken.

The TEAP, in its March 2018 report, has confirmed the need for Laboratory and Analytical uses of HCFC for reference standards and calibration purposes.

Paragraphs 6(a) and 6(b) of Article 2F

This proposal will continue to restrict the 0.5% HCFC tail to servicing of equipment installed before 2020, but permit fire protection equipment to be serviced, along with refrigeration and air conditioning equipment.

The proposed addition will permit HCFCs to be produced and used to service existing refrigeration and air conditioning and fire protection equipment.

While we anticipate that most HCFCs would be used to service existing refrigeration and air conditioning equipment, we foresee some small requirements in the fire protection sector.

The proposal does not increase the amount of the servicing tail, nor does it permit HCFC for new equipment or non-servicing purposes. It merely provides flexibility for HCFCs to be used to service remaining HCFC-based refrigeration and air conditioning and fire protection equipment in place until the end of its useful life.

The TEAP, in its March 2018 report, has confirmed the need for servicing requirements in the fire protection sector.

Annex II

Text of adjustment proposal

Article 2F, paragraph 6

(1) The following sentence shall be added to the end of paragraph 6 (after the words "does not exceed zero." and before the word "However,"),

This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

Article 2F, paragraph 6(a)

(2) The following words shall be added after the words "refrigeration and air conditioning":

and fire protection

Article 2F, paragraph 6(b)

(3) The following words shall be added after the words "refrigeration and air conditioning":

and fire protection